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Australia gets spin, not human rights, over past three years

Australia has no human rights committee of parliament: the Australian Parliament does not specifically scrutinise bills for human rights compliance, nor will it do so in the near future.

Despite the rhetoric of the Labor Party leading up to the 2010 election, it has delivered very little for human rights – other than spin – in its three-year term.

Before the 2007 election, civil liberties and human rights bodies held high hopes that Labor would bring in a Bill of Rights for Australia in its first term: doing so used to be Labor policy, before it was watered down in mid-2007 to a commitment to 'conduct a national consultation on a bill of rights'.

Labor delivered on its consultation promise, and the consultation report overwhelmingly recommended that Australia should have a bill of rights: there was massive community support demonstrated during the consultations throughout Australia...but then the government wimped it. Instead, the government announced a 'framework' of human rights, basically some frippery at the edges in terms of education for schools and grants funding for human rights activist bodies.

The one concrete improvement under the 'framework' was that there would be a Human Rights Committee of parliament. The government has failed to deliver on even that promise.

The bill to set up a human rights committee lapsed when parliament was prorogued. The Senate committee undertaking a hearing on the bill has abandoned it...until it knows whether an incoming government will re-introduce the legislation.

The wider 'framework' around human rights, announced with fanfare shortly before the election, is similarly in limbo. An application process for funding grants is still in train (it closed on 30 July), but there is no guarantee any grant will be awarded.

Labor Govt disappoints...but what's the choice?

In three years in office, the Labor Government ratified some international conventions – torture and anti-discrimination for example – but in general it has been an enormous disappointment.

In terms of delivering widely on a human rights agenda, the Rudd Labor Government and Attorney-General Robert McClelland were both failures. Rudd was never committed to human rights; McClelland lacked the oomph to get his proposals through cabinet and the Gang of Four (Rudd, Gillard, Swan, Tanner) who controlled the nation in secret session.

Australia is a less human rights-friendly country in August 2010 than it was in December 2007 when the Rudd Government took power.

For example, discriminatory legislation in the Northern Territory has been extended, not cut back; a man is in jail in Queensland who would not be in jail if he lived in any other State or Territory; refugees are suffering a worse fate – particularly those from Afghanistan and Sri Lanka – than they were when Labor was elected; backbench parliamentarians have been further emasculated because the Executive and its machinery ignores and bypasses parliament; the 'war on drugs' has failed further in the past three years; and censorship is blossoming under the proposed mandatory internet filter of the out-of-control Senator Conroy; and, instead of winding back draconian legislation, the government has broadened and deepened it under anti-bikie provisions and proceeds of crime laws which punish innocent family members without reason.

The problem with throwing out this now-Gillard Government is that there is no reasonable prospect a Liberal Coalition government would be better. It may even be worse...but it would be hard to be worse than Labor has been for three years. Labor has been bitterly disappointing on liberties.

Bills in limbo

When a parliament ends, it leaves unfinished business. The 42nd parliament which was prorogued – the official word for 'suspending' the work of parliament – on 19 July for the election on 21 August left some important business undone which may, or may not, be picked up by the 43rd parliament.

Among the bills which the Legal and Constitutional Affairs Committee of the Senate has ceased to inquire into are:

- Civil Dispute Resolution Bill 2010. *This bill was AG McClelland's (pictured) attempt to curb litigious excess, and runaway legal costs, in Australia.*
- Human Rights (Parliamentary Scrutiny) Bill 2010 and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010. *This is the one that was supposed to give Australia a parliamentary committee to consider human rights when new legislation was introduced.*



- Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010
- Crimes Legislation Amendment Bill 2010

Other bills, not formally referred to a committee or which are similarly in limbo, include:

- Access to Justice (Family Court Restructure and Other Measures) Bill 2010
- Defence Legislation Amendment (Security of Defence Premises) Bill 2010
- Military Court of Australia Bill 2010
- Sex Discrimination Amendment Bill 2010, and
- Aviation Crimes and Policing Legislation Amendment Bill 2010

The nature of these bills, and the fundamental importance of some of them, such as the Military Court bill, demonstrates how much important work parliament should be doing, rather than contesting an early election up to six months before it is necessary.

The unfinished business is a powerful argument in favour of fixed terms for parliaments.



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What about the little children?

The work of one specially-established committee, touted as being absolutely necessary to protect Australian children who use the internet, has also lapsed with the proroguing of parliament.

The Joint Select Committee on Cyber-Safety is no more. It may or may not be resurrected by an incoming parliament.

Little children – who don't vote – are apparently not nearly as sacred during an election.

ACT people get less than half a Reps vote...by comparison with NT

The Australian Electoral Commission's breakdown of 14 million-plus people on the electoral rolls to vote in the August federal election shows the ACT is very poorly served in the House of Representatives.

ACT residents do not enjoy the "equal suffrage" guaranteed them under Article 21, section 3 of the Universal Declaration of Human Rights:

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The ACT's two seats of Canberra and Fraser are the most populous in the nation with 122,700 voters enrolled in Fraser and 123,700 in the seat of Canberra.

The two smallest electorates are the NT seats of Lingiari and Solomon with 61,000 and 60,000 voters respectively.

That means that a vote in the ACT is worth half that of a vote in the Northern Territory. It is totally within the power of parliament – by simply passing legislation – to correct this enormous anomaly between the ACT and the NT. Despite years of CLA trying to get Liberal and Labor parties to act, PMs, Ministers and MPs refuse to do anything.

CLA has tried repeatedly to get cross-bench support from the ACT's current three Labor and one Liberal representative in the parliament, but they have been unwilling to fight for equality of ACT representation. If they won't fight for equal treatment for the people they were elected to directly represent, it's unclear what they are doing in parliament.

In the Senate, Australia's system grants equal numbers of Senators to all states. The least populous state of Tasmania has approximately 30,000 voters per Senate seat, whereas NSW has 383,000 voters for each Senate seat. The ACT has two Senate seats with 123,000 voters for each Senator...by comparison with Tasmania, a quarter the voting power.

Questions CLA has asked candidates for election

CLA has mailed the main parties, key independent candidates, and the ACT candidates to ask where they stand on issues of fundamental importance to liberties, rights, freedoms and equality in Australia. Here are the questions:

1. If elected, will you support the introduction of a statutory Charter of Rights?
2. If elected, will you actively move to repeal section 35 of *Australian Capital Territory (Self-Government) Act 1988*, and other similar acts, which allows the Federal Government to trample on the rights of Territorians to self-determination that Australians living in States enjoy?
3. If elected, how will you hold Australia's swelling ranks of security/spy personnel to account?
4. If elected, will you support legislation setting limits on the ability of the Executive to go to, and continue at, war without parliamentary scrutiny and approval.
5. If elected, how would you ensure Australians' right to privacy from intrusive state and federal governments and bureaucrats is better protected?
6. If elected, will you ensure that the Council of Australian Governments (COAG) and the Standing Committee of Attorneys-General (SCAG) are transparent and accountable to the Australian public (by publishing an agenda and minutes of meetings, as a minimum example)?
7. If elected, will you conduct a review into Australia's censorship regime to ensure that only criminal material is prohibited and that, to the greatest extent possible, adult Australians are able to read and view whatever they want – including on the internet?
8. If elected, will you conduct a full, frank and comprehensive review of Australia's terrorism laws, repealing those provisions which undermine fundamental rights and freedoms, and/or those provisions which have not been needed, and those already covered in the existing criminal law?
9. If elected, will you support the creation of a National Independent Commission Against Corruption to investigate allegations of corrupt conduct by police, politicians, judges, members of the public service or others when in a position of authority?
10. If elected, what will you do to extend civil liberties and human rights protection in Australia?



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Forget the election! Where/how is Australia going in future

While some parliamentary inquiries lapse, civil society needs to keep a close eye on those which continue when a parliament is prorogued, but the Senate continues to serve.

Even Senators who lose their seats at this election will continue in office until 30 June 2011.

Going unremarked by fevered media sniffing the election trail is an inquiry which could propose enormous change to how Australia's governments and system operate at all levels.

The Select Committee on the Reform of the Australian Federation (SCRAF) was set up in the death throes of the Rudd Parliament and the now-Gillard Government.

On 17 June 2010 the Senate referred to SCRAF for inquiry and report the following:

That a select committee, to be known as the Select Committee on the Reform of the Australian Federation, be appointed at the conclusion of the Select Committee on the National Broadband Network (which tabled its final report that day).

The SCRAF committee's mission is to:

- (a) inquire into and report by 17 November 2010 on key issues and priorities for the reform of relations between the three levels of government within the Australian federation; and
- (b) explore a possible agenda for national reform and to consider ways it can best be implemented in relation to, but not exclusively, the following matters:
 - (i) the distribution of constitutional powers and responsibilities between the Commonwealth and the states (including territories),
 - (ii) financial relations between federal, state and local governments,

- (iii) possible constitutional amendment, including the recognition of local government,
- (iv) processes, including the Council of Australian Governments, and the referral of powers and procedures for enhancing cooperation between the various levels, and
- (v) strategies for strengthening Australia's regions and the delivery of services through regional development committees and regional grant programs.

Submissions are due by 20 August 2010 – the day before the federal election. The committee is due to report to parliament by 17 November 2010. Details:

http://www.aph.gov.au/Senate/committee/reffed_ctte/reffed/info.htm

Civil Liberties Australia saves the Wiggles and Playschool

Civil Liberties Australia has prevented the Wiggles going to jail, and kept Playschool from being forced off ABC TV.

The dramatic win came as the Senate Legal and Constitutional Affairs Legislation Committee of the Australian Parliament recommended that the Senate not pass a bill proposed by Independent SA Senator Nick Xenophon.

The *Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2010* was a praiseworthy attempt by Senator X to protect children under 18 from sexual predators online. But the bill was extraordinarily poorly drafted, and contained no element of intent to commit a crime.

It would have introduced strict liability, where people were guilty if they misrepresented their age to children under any circumstances. The CLA comment, quoted by the Senate Committee in relation to the issue, was:

Under the current draft, you could use the legislation to throw the Wiggles (or any adult actor dressing up on children's TV) into prison for three years. This Bill could close Playschool!

As the Senate committee said, CLA's opinion was backed up by several other submissions, including, for example, that of the SA Police, who noted there was no defence for 'humorous, innocent or erroneous transmissions'. Now, there's a funny police force for you!

As well, the committee agreed that the proposed offences were already well covered by the existing criminal code...which was pointed out by the Law Society of SA, the SA Police and CLA.

Overall, the proposed Bill pointed to the danger of trying to make general law based on one, admittedly horrific case. A 15-year-old teenager in South Australia, Carly Ryan, was murdered in February 2007 after 'meetings' online. A 47-year-old, Garry Francis Newman, was sentenced in January 2010 to 29 years jail for the murder.

Arved von Brasch was the lead author of CLA's submission, and is the man most responsible for saving the Wiggles and Playschool. ALP Senator Trish Crossin (*pictured right*) of the NT is chair of the committee, with the Liberal Guy Barnett of Tasmania deputy chair and the Greens' Scott Ludlam of WA an influential member. Senator X also sat on the committee for this particular inquiry. The report is at:

<http://snipurl.com/zq3g2>



Committee calls for protection of free speech, at CLA request

In another decision reflecting common sense, the same committee recommended better safeguards for free speech in Australia.

This time, it was inquiring into the National Security Legislation Amendment Bill 2010 (Provisions).

The committee said it was "not entirely convinced of the need for 'urging violence' offences...existing law covers the targeted behaviour and the proposed provisions have been poorly drafted, including so as to restrict freedom of speech."

The committee's view was influenced by CLA's submission to the inquiry, which said "urging violence is an offence of the mind". The CLA submission pointed out:

"Our primary concern is that the Bill regulates an action constituting the expression of words, not the commission of violence. The proposed offences contained in Subdivision C are speech acts, and imply that the expression of an opinion equates to the intention to act on that opinion...the

implication is that the words become performative and urging violence is performing an act of violence."

The Law Council of Australia backed up CLA's claim: "...the offences, by their very nature, have the potential to unduly burden freedom of expression and may have the effect of chilling legitimate political debate".

The committee made a series of recommendations which, basically, proposed that the Attorney-General and the A-G's Department try again, and produce better legislation.

Victorian CLA member, Rhys Michie, was lead author of the CLA submission. The report is at: <http://snipurl.com/zq3i0>

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End of Big Brother in the UK: how about we do the same here?

As an example of what an incoming Gillard (or Abbott) Government could do, the new British Conservative-Liberal Democrat coalition government has immediately moved to curb terror laws, stop and search powers and 'council snooping' using CCTV cameras in unwarranted ways.

The same excesses exist in Australia, and a government with commitment to civil liberties and human rights would act as the new British Government has.

It is ironic that, in the UK, it is a Conservative-led government abolishing the excesses of Labor: here, a Labor government has not yet moved to abolish the excesses of a conservative government, having failed to do so in its first three-year term.

James Slack reported in the *Guardian* last month that UK Home Secretary Theresa May promised a bonfire of draconian anti-terror laws to reverse the 'substantial erosion of civil liberties' by UK Labour ministers.

The Home Secretary said powers that could be scrapped or scaled back include 28- day detention without charge, control orders, stop and search and Big Brother snooping by town halls.

She also pledged a sweeping review of laws that allow the arrest of people who take pictures of police officers or hold peaceful protests without permission outside Parliament.

In a statement to MPs, Mrs May said she wanted to correct 'mistakes' made by Labour, which was allowed to 'ride roughshod' over Britain's hard-won freedoms.

She said: 'National security is the first duty of government but we are also committed to reversing the substantial erosion of civil liberties. I want a counter-terrorism regime that is proportionate, focused and transparent. We must ensure that in protecting public safety, the powers which we need to deal with terrorism are in keeping with Britain's traditions of freedom and fairness.'

Read more: <http://www.dailymail.co.uk/news/article-1294415/Bonfire-Big-Brother-state-Coalition-unveils-drastic-review-New-Labours-attack-civil-liberties.html#ixzz0tjZ3Hw7V>

At last, standards to be set for forensic testing throughout Australia

A \$454,000 project will try to develop national forensic testing standards for Australia, though how long it will take has not been announced.

Home Affairs Minister Brendan O'Connor made the announcement just minutes before the government went into caretaker mode due to the 21 August election.

"There are no uniform Australian or international forensic standards, leading to variations in forensic practices between agencies and laboratories," Mr O'Connor admitted. "National standards will mean consistent practices applied to collection, preservation, analysis and reporting of forensic information to ensure the most accurate results."

The National Institute of Forensic Science will devise the standards and their implementation in co-operation with experts from federal, state and territory forensic facilities. Source: media release, 17 July 2010. Details: Jayne Stinson 0458 547 512 <<mailto:jayne.stinson@ag.gov.au>>

Police: justice must be seen to be done...speedily

Both sides of politics in Queensland are promising an overhaul and rapid speeding up of how complaints against police are handled.

The promises follow statewide disquiet over how and how long the Cameron Doomadgee death on Palm Island has been under legal consideration.

The Queensland Council for Civil Liberties is urging the government and opposition to work cooperatively on a solution which sees matters resolved in a couple of months, rather than taking more than half a decade.

A Supreme Court judge is considering whether Police Commissioner Bob Atkinson can discipline officers involved in the investigation into the death in custody of Mr Doomadgee in the Palm Island watch-house in 2004, as called for by the Crime and Misconduct Commission.

<http://www.abc.net.au/news/stories/2010/07/12/2950620.htm>

Another grim prison find adds to a decade of death

Police in Tasmania are investigating a prison cell death less than a month after Zane David Webb was jailed for a violent bashing.

Prison guards discovered 28-year-old Zane David Webb's body in the medium security wing of Risdon Prison about breakfast time one morning.

He had been serving a 14-month sentence, with a minimum of seven months, for bashing a stranger and leaving him unconscious in a pool of blood in a Hobart nightclub toilet in March 2009.

A coronial inquest is being held into Webb's death. The prison has been subjected to continual coronial inquiries for a decade, with particular scrutiny after five inmates died in custody between 1999 and 2000. An inquiry found four of the five deaths were avoidable.

In 2007, two more inmates died in custody, with a coronial inquiry finding the system was unable to deal with health needs of disabled prisoners.

WA pays \$3.2 million over death in transport van

The family of Aboriginal elder, Mr Ward, who died in the back of a prison van in January 2008 will receive a total of \$3.2 million compensation from the WA Government.

He died from heatstroke after being driven 360km from Laverton to Kalgoorlie-Boulder in a prison van with no air-conditioning during searing temperatures, Amanda Banks report in the *West Australian* newspaper.

WA Liberal Attorney General Christian Porter offered a sincere apology from the State Government to the family "for the failures of the previous Labor government". But he admitted no liability: other legal claims are still possible.

No charges have been laid over the death. <http://snipurl.com/zy7z6>

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Approach to youth claimed to be 'new', 'model'

State and Territory Ministers have launched a "new" national "model" for tackling youth violence and anti-social behaviour.

It was announced at the Ministerial Council for Police and Emergency Management meeting in Canberra in July.

Basically, the "new model" is a re-hash of existing initiatives tried by police in Australia, NZ and like places over the past 10 years. These have been carefully gathered into one document by the Australian Institute of Criminology.

The document is available from the Attorney-General's Department: <http://www.ag.gov.au/>

'Strategy' covers the bleeding obvious!

Attorney-General Robert McClelland last month launched the Critical Infrastructure Resilience – Community Utilisation Strategy.

"Critical infrastructure underpins the delivery of essential services such as power, water, health, communications and banking. It supports defence and national security and provides the basis for our economic and social wellbeing," Mr McClelland said. The strategy:

- coordinates planning across sectors and networks;
- has responsive, flexible and timely recovery measures; and
- encourages providing a minimum service before returning to full operation.

It is not known how Australia managed to cope for more than 100 years without such a brilliant new strategy. The Critical Infrastructure Resilience – Community Utilisation Strategy can be viewed at <http://www.tisn.gov.au>

Meanwhile, the government will extend the Natural Disaster Relief and Recovery Arrangements (NDRRA) to include terrorist events as well as natural disasters, Mr McClelland said at the Torrens Resilience Institute in Adelaide last month, speaking on emergency management in Australia.



Tomison position extended for four years

Dr Adam Tomison has been re-appointed director of the Australian Institute of Criminology for the next four years: he had been on just a one-year contract.

His reappointment aims at achieving an effective transition to a changed structure of the AIC and the Criminology Research Council, which will merge from mid-2011.

Defence to examine officer's dismissal

The Department of Defence will appoint a senior bureaucrat to examine the circumstances surrounding the dismissal of senior employee Jane Wolfe last year.

But the department ruled out a code of conduct inquiry into the actions of Defence Materiel Organisation chief executive Stephen Gumley in the sacking.

A report written by Independent MP Rob Oakeshott claimed that the department spent \$2 million on legal fees, but Defence says the assertion is incorrect. "The total expenditure incurred by the DMO and Defence to date for legal advice provided by the Australian Government Solicitor in relation to all aspects of this matter is an amount of up to \$615,973.41," a Defence statement said.

Ms Wolfe challenged her sacking in the Federal Court, claiming she was unlawfully dismissed from the DMO. Ms Wolfe was reinstated to her job on the grounds of unlawful dismissal and was provided back pay for the year out of work.

Mr Oakeshott said the matter could not be left as "some 'military-style in-house cover-up' where the issues involved get swept under another carpet", according to a report by Jacqueline Williams in the *Canberra Times*.

There were many questionable aspects in the way the matter was handled and why it arose in the first place. "It cuts to the heart of cultural aspects of DMO management that have been left unaddressed by too many for too long."

CLA suggests that similar cultural problems may exist at the heart of Defence generally.

<http://snipurl.com/zxrel>

Drama explains help available to Aborigines taken into custody

More than 300 Aboriginal and Torres Strait Islander people are taken into custody every week in NSW and the ACT, adding up to about 16,000 locked up every year.

A new DVD, 'CNS: *Who you gonna call?*' uses drama to inform Indigenous people about their legal rights in custody.

The DVD focuses on police in NSW and ACT who must, by law, phone the Aboriginal Legal Service (NSW/ACT) when they take an Indigenous person into custody.

Produced and funded by Legal Aid NSW, the DVD highlights the Custody Notification Service (CNS). When Police ring the CNS, an ALS lawyer is available 24/7 to provide early legal advice about rights. The lawyer also checks that the Aboriginal person is OK, and whether he or she requires medical attention, to prevent deaths in custody.

Set up in 2000 following NSW legislation implementing recommendations of the Royal Commission into Black Deaths in Custody, the CNS has operated on one-off grants annually; it recently received another one-off grant of \$480,000 for 12 months from the federal government.

See the CNS DVD on the web at <http://www.youtube.com/watch?v=793zg8kuF34> A two-minute trailer is at <http://www.youtube.com/watch?v=qtHk9AmMQDQ&feature=related>

Police trial produces stunning result: a cover-up!

A year-long trial of police stun guns in NSW – used to justify arming every frontline officer – was characterised by a litany of misuses and abuses that were covered up by police and the government, according to a *Sydney Morning Herald* report.

The proof comes from internal police documents which the *SMH* obtained after a year-long freedom-of-information battle, Dylan Welch reported.

The documents reveal that police and the government used the 2008-9 trial as window dressing to affirm a decision they had already made – to give the weapon to all general duties police – and ignored worrying results. The many abuses the *SMH* uncovered include:

- stunning a handcuffed child at a juvenile detention centre.
- stunning two suicidal people covered in fuel, which can be ignited by a Taser blast.
- repeated stunning of a compliant man who presented no threat and was surrounded by members of the Riot Squad. This is being investigated by the Ombudsman and police.

<http://snipurl.com/zxrip>

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AFP – and Customs – go further to the dogs

A total of \$17.8 million is being spent to boost the Australian Federal Police detection dog squad.

There will be 12 more firearms and explosive detection dog teams to patrol Australia's major international airports. As well, there will be another six AFP trainers recruited across the country.

Home Affairs Minister Brendan O'Connor gave the game away in his media release: "The canine teams are a highly mobile and visible resource that can detect threats at airports, in baggage and freight and on board aircraft and vehicles." (underline added)

The eight airports that the firearms and explosive detection dog teams will work at are Adelaide, Brisbane, Cairns, Darwin, Gold Coast, Melbourne, Perth and Sydney.

Australian Customs' breeding program provides the AFP with its Labrador detector dogs. Customs claims it is "at the forefront in breeding high quality detection canines specific to the needs of the aviation environment".

No evaluation of the effectiveness of such detection dogs has ever been released. CLA believes they are overwhelmingly a PR stunt, whether deployed by Customs, police or anyone else. In a NSW Ombudsman's study, drug detection dogs of the NSW Police were proved to be wrong about 73% of the time.

And, if you think money is only being wasted on dogs, there are now 26 AFP officers on rostered duty at Canberra Airport. There used to be four.

If anyone can explain how the risk at Canberra Airport – which does not normally handle international passengers or freight – has increased more than sixfold, CLA would love to see the evidence.

CLA members becomes Senate candidates in the ACT

A long-time CLA member is the No. 1 Senate candidate for the Democrats in the ACT.

Darren Churchill is President of the ACT Democrats. He stood as a candidate in the 2008 ACT Legislative Assembly elections and for the seat of Fraser in the 2007 federal election. He has worked as a secondary teacher, in the music industry and is now a casual relief teacher and fitness instructor. Darren says his main policy interests are “sensible economic policy, human rights and civil liberties, and policies that give ordinary people a ‘fair go’.”



...And another long-time CLA member, David Mathews (*pictured*), will be No 2 on the ALP Senate ticket, after sitting Senator, Kate Lundy.

David was an ACT Legislative Assembly candidate in the seat of Molonglo in 2008; he works in the IT industry. Like Lundy, he has been an opponent of Labor’s mandatory internet filtering policy. He is married with children, and his interests include playing in and being a vocalist with bands.

Register aims to capture human rights info in Australia

We are about to get a new Australian Human Rights Register.

NGOs will be able to record human rights developments, and draw on the database for advocacy of rights and documenting wrongs.

The Human Rights Law Resource Centre, in conjunction with the Human Rights Working Group of the Victorian Federation of Community Legal Centres, is behind the register. The groups aim to collate human rights stories, and inform, build knowledge and capture the experiences of NGOs about case work, service delivery and policy changes, and publish an annual report.

Note: The register only takes entries from NGOs and not from individuals, but you can visit it at: www.hrlrc.org.au/australian-human-rights-register/ Entries are being accepted until 31 October.

Prisoner paroled...but sentenced to silence

Queensland Premier Anna Bligh has defended parole conditions banning the ringleader of the Palm Island riots from speaking to the media or addressing public meetings.

She and Qld Corrective Services people say the media and public speaking ban is OK because it is given to all paroled prisoners. But that’s the point...it shouldn’t be imposed on anyone.

Lex Wotton was sentenced to six years in jail in November 2008 for inciting the burning down of the north Queensland island’s police station and an officer’s residence in 2004.

The riots were sparked by the death in police custody of the Aboriginal man Cameron Doomadgee in November 2004.

Mr Wotton, who is a former Palm Island councillor, has been released on parole with the bans in place. <http://snipurl.com/zyb0k>

High Court challenge delays Hellish declaration

A challenge by the Hells Angels Motorcycle Club to the constitutionality of the NSW ‘anti-bikie’ laws has delayed court proceedings in a separate case by police to have the group declared a criminal organisation.

The challenge, in the name of the club’s former Sydney president Derek Wainohu, was lodged in the High Court last month, the *SMH* reported. While awaiting progress in the bikies’ High Court challenge, a Supreme Court judge will read secret police “criminal intelligence” supporting the police application to have the group declared a criminal organisation.

The material is to be outlined by lawyers for the police in a closed hearing this month. Lawyers for the Hells Angels have been provided with 17 DVDs of material, but have not been given the intelligence material, which the court will hear in their absence. <http://snipurl.com/ztt0y>



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Good on you, Neil...whose \$5000 did you use for this communication?

Good to see Neil James, from the Australian Defence Association, quoted as alleging Wikileaks' Julian Assange could have committed a "serious criminal offence" by helping an enemy of the Australian Defence Force (ADF) over posting on the internet of 90,000 US military documents.

Mr James precisely illustrates why the 'sedition/treason' legal principles relating to the ADF, introduced by the former Ruddock/Howard combine, were so dangerous and open to abuse and misuse by a malicious government. The legality of a situation could possibly be twisted so as to charge – and silence – an Australian (or anyone else) over what is undoubtedly a world public service, as in the case of the Wikileaks material.

The Wikileaks revelations outline facts that citizens of Australia, Britain, the US, Canada and Europe should have been informed about in a timely fashion, as events occurred or shortly afterwards.

Fortunately, the Australian Attorney-General has to sanction any action against Mr Assange...and, with luck, A-G Robert McClelland would be too canny to approve an indictment, which would effectively put Australia's involvement in Afghanistan on trial, including the activities of our special forces soldiers and their equivalents from the USA and other nations.

Somehow, the ADA's Mr James appears to suggest, the military's keeping its activities secret from citizens is not an offence, but enabling citizens to know what their armies have been doing in their name 1-5 years ago is an offence.

But then again, Mr James apparently comes from a funny, twisted world, where failing to report at all, half-truths and deliberate omissions to un-uniformed people, politicians and parliaments are OK; it's apparently the same type of world where your level of independence can be selectively measured...not by whether you accept pieces of silver, but how many pieces of silver you accept.

Mr James, in public late last year, proudly proclaimed his organisation's independence of the military lobby by claiming that ADA accepts donations of "no more than \$5000" from defence contractors and makers of military equipment. Next time you see or hear the ubiquitous Mr James, you can judge for yourself whether he is an independent commentator on military and military/industrial matters.

And if you run into him personally, ask him which company's \$5000 donation is funding him that particular day. <http://snipurl.com/zyazh>

Report on **CLA activities in July:**

Submissions in the period:

- Human Rights Framework grants, to Attorney-General's Department

Invitations to submit being considered:

- on hold, due to proroguing of parliament

Responses to submission: reports released:

- See items on Wiggles/Playschool and Call for protection of Free Speech, above

Inquiries to CLA:

Recent inquiries have included:

- applicant rejected by a police force on seemingly spurious grounds;
- Organized Crime Act 2008'
- boy too young to be allowed to play football;
- care dispute within family over treatment of aged mother;

Management of membership list/ financial system:

Work continuing on preparing system for launch later in 2010.

New Treasurer required: volunteers?
Anyone with Membership management experience?

Treasurer/financial:

Rolling membership renewals sent out/banked
Specifications for new website developed

Website analysis:

Undertaken by Webmaster/Director Lance Williamson

Meetings:

James Dunn, re Timor Leste and Afghanistan
Tim Vines and Stephen Morris, re submissions
Dying With Dignity, NSW Director and ACT branch meeting
Frank Cassidy, Noor Blumer (Directors)
John Clarke, re finances/audit/treasurer
Chris Michaelsen
Mark Jarratt
Prof Roger Clarke, chair Australian Privacy Foundation
Prof Kim Rubinstein, head of CIPL, ANU

Students:

Meeting with Kelly Haines-Sutherland
Correspondence with Peter Ford, ANU, re internship student: CLA member Asmi Wood to supervise

Media and media-related:

- Radio Atticus (Law program, 2SR) on NSW Anti-Motorcycle Club Laws
- Letter to NSW student on proposal to ban the burqa
- Submission to Senate on Human Rights Scrutiny Bill
- Letters to SA students on SA Anti-Motorcycle Club Laws and Propensity Evidence
- Devised CLA questions to parties and candidates running in this year's federal election.
- 2XX, Bill Tully, on elections and the failure of governments to live up to promises

Correspondence:

From:

MLC Tasmania, Don Wing: re possible Bill of Rights, Euthanasia law
Email requests from Senate Committees for submissions received before parliament prorogued - in abeyance.

Projects:

List of issues to question political parties in upcoming federal election (prepared by Tim Vines) – sent to major parties, key independents and ACT candidates;
Idea of conference, Freedoms for the Future, 10 Years after 9/11...being discussed with unis.



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AUSTRALIAN BRIEFS

Darwin gets funds for legal advice: The Darwin Community Legal Service will receive around \$348,000 to support their partnership with the Darwin Family Relationship Centre to provide legal advice and assistance to separating families and people at risk of homelessness, the federal government announced last month. <http://snipurl.com/zy1da>

Eight police officers cost \$3.4m: Eight extra police officers in remote NT Indigenous communities will cost \$3.4m over two years, or \$212,500 per officer per year. They will try to build trust and confidence in the justice system, ministers announced last month. Their jobs will be to "audit and map criminal activity in local communities, identify factors for offending including through discussion with families and community members, identify responses needed to address identified criminal activity and liaise with relevant agencies to follow up on the provision of services," according to media releases.

New forum for A-P restorative justice: There is to be an Asia Pacific Forum for Restorative Justice, with Prof John Braithwaite of ANU as patron. The aim is to build an Asia-Pacific representative body reflecting the values and processes of restorative justice and the notion of justice reinvestment. It will bring together victims, perpetrators, support people, academics, teachers, facilitators, government departments, small and larger organisations and national peak bodies, mirroring a European forum. Dr Brian Steels of the Centre for Social and Community Research at Murdoch U in WA is the man behind the move. E: bsteels@inet.net.au or <http://www.cscr.murdoch.edu.au/restorativejustice.html>

INTERNATIONAL

Dubai says no to see-through scanners

Dubai will not use full-body scanners in either of its two airports to protect passengers' privacy, a Dubai airports' top police official said last month, according to local press reports.

Full-body scanners will not be used in Dubai airports as they "contradict Islam, and out of respect for the privacy of individuals and their personal freedom," Al-Bayan daily quoted Brigadier Pilot Ahmad Mohammad Bin Thani, head of Dubai police's general department of airport security, as saying.

"The scanners will be replaced with other inspection systems that reserve travellers' privacy," it cited him as saying. <http://snipurl.com/zahwx>

Criminalising homosexuality produces other human rights violations

Continued criminalising of male-to-male sex in the Asia Pacific, resulting in harassment and other human rights violations, is hurting the region's response to HIV, a new UN Development Program (UNDP) report has found.

Of the 48 countries in the region, 19 – including Afghanistan, Bhutan, Kiribati and Malaysia – have outlawed sex between consenting male adults, with these laws often used by vigilantes in ways that lead to abuse and rights violations.

The report claims that police can selectively target men who have sex with men (MSM) and transgender people, leading to assault, extortion and detention in some Asia Pacific countries with repressive legal environments. It said that police harassment of outreach workers, many of whom themselves are MSM or transgender, can interrupt HIV prevention services.

Police were reported to raid events where HIV education takes place and censor materials containing information on the epidemic, UNDP said, while laws banning sodomy discourage the formation of support groups, vital for effective peer-based HIV prevention, care and support.

<http://snipurl.com/ztw1x>

Secret services to come under public scrutiny

PM David Cameron has appointed an independent inquiry into allegations that its security services, MI5 and MI6, colluded with the Central Intelligence Agency and other foreign organizations in the rendition and torture of terrorism suspects held in foreign prisons after the 9/11 attacks.

Mr. Cameron said a 76-year-old retired appeals court judge, Sir Peter Gibson, would head a three-member panel to review actions by the security services that have led to a dozen cases before British courts in which former detainees have alleged that the British agencies knew – or should have known – that the detainees were being mistreated.

He said he hoped that the inquiry would start before 2011, and that he would have the panel's full report within 12 months of its first sitting. While the panel would hold "some of its hearings" in public, he said, much of its work would be conducted behind closed doors.

"While there is no evidence that any British officer was directly engaged in torture in the aftermath of 9/11, there are questions over the degree to which British officers were working with foreign security services who were treating detainees in ways they should not have done," Mr Cameron said. He said this had "led to accusations that Britain may have been complicit in the mistreatment of detainees." <http://snipurl.com/zai30>

The British situation mirrors claims by the Australian, Mamdouh Habib, that he was tortured while Australian police or security officers were present intermittently or very close by.



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Gay couples gain marriage rights

Argentina made same-sex marriage legal last month, becoming the first country in Latin America to grant gays and lesbians all legal rights, responsibilities and protections that marriage gives heterosexual couples.

The approval came despite a concerted campaign by the Roman Catholic Church and evangelical groups, which drew 60,000 people to march on Congress and urged parents in churches and schools to work against passage. <http://snipurl.com/zezsc>

US lawyer, 70, has terrorism sentence increased nearly fourfold...on appeal

A 70-year-old US civil rights lawyer was sentenced last month to 10 years jail in a terrorism case.

The judge boosted her original two-year sentence by nearly eight years after concluding she lied to a jury and lacked remorse.



"I'm somewhat stunned," Lynne Stewart (*pictured, NLN Thomas Good photo*) told US District Judge John G. Koeltl after he announced the sentence for her conviction for letting a jailed Egyptian sheik communicate with his radical followers despite restrictions in place to prevent it.

The sentence, nearly four times longer than the two-year, four-month sentence she originally received in 2006, left Stewart sobbing in her prison uniform after Koeltl described his reasons for increasing the prison time significantly.

An appeals court had ordered a new sentencing, saying the terrorism component of the case needed to be considered, along with whether she committed perjury at her trial. The court said it had "serious doubts" whether her original sentence was reasonable.

The judge said public comments Stewart made after her first sentencing showed him that the "original sentence was not sufficient." He said she showed "a lack of remorse for conduct that was both illegal and potentially lethal." Outside court after her original sentence, Stewart said she could do the prison time standing on her head.

Koeltl found that Stewart "willfully testified falsely at the trial" on numerous points, including in telling jurors she did not make Egyptian Sheik Omar Abdel-Rahman available to his followers and

did not violate government rules meant to silence the sheik because lawyers worked in a "bubble" in which the government understood the rules were relaxed.

"The purpose of the testimony was to mislead the jury on material matters," he said. He also found she had violated a position of public trust, a finding he had not made at the original sentencing.

She was convicted of providing material support to a terrorist organization for letting Abdel-Rahman communicate with a man who relayed messages to senior members of an Egyptian-based terrorist organization. Abdel-Rahman is serving a life sentence for conspiracies to blow up New York City landmarks and assassinate Egyptian President Hosni Mubarak. Stewart represented him at his 1995 trial.

Read more: <http://snipurl.com/zy144>

Stun guns used to target the mentally ill

Nearly half the people hit by stun guns in NZ had been threatening to harm themselves, police figures show.

Auckland University's Centre for Mental Health Research director Brian McKenna said the Taser had a potentially traumatising effect on people with mental illness and could result in death.

"These statistics are of concern because you usually associate the use of force with threat to others, but this is indicating that the police are using force when there is a threat to a person themselves," McKenna said.

From December 2008 to May 2010, stun guns had been presented by police 163 times, with 39 cases involving someone threatening to harm themselves or commit suicide, police figures show. Stun guns were used 13 times, with six incidents involving people threatening to hurt themselves.

<http://snipurl.com/zagpp>

Police power to stop-search curtailed drastically

UK police may no longer use section 44 of the Terrorism Act 2000 to stop and search individuals, the Home Secretary, Theresa May announced last month.

Section 44 – abused by police, who stopped photographers going about their business, and tourists taking 'happy snaps' – will only be allowed to be used to authorise the search of vehicles.

Police who want to use the Terrorism Act to stop and search individuals will have to use s43 which, unlike s44, says officers have to have a "reasonable suspicion" that someone is a terrorist.

Also, police now can only use s44 stop and search powers where it is "necessary" for the prevention of terrorism. Previously officers could use these powers where it was "expedient" for prevention of terrorism.

Last year, police carried out 256,000 searches under the legislation. Not one terrorist was caught.

<http://www.guardian.co.uk/politics/blog/2010/jul/08/1>

Policeman guilty over pistol/stun gun mix-up death

A jury last month found police officer Johannes Mehserle guilty of involuntary manslaughter, finding that he did not intend to kill train rider Oscar Grant when he shot him in the back on New Year's Day 2009, but acted so recklessly that he showed a disregard for Grant's life.

Mehserle, to be sentenced on 6 August, worked for the Bay Area Rapid Transport (BART) police.

The verdict was an all-but-unprecedented instance of a police officer being convicted for an on-duty shooting. But Grant's relatives said the video-recorded shooting was a murder and that Mehserle deserved a sentence years longer than the one he is likely to receive.

He could be sentenced to between 5 and 14 years in prison.

The jury took two days to decide that Mehserle was guilty of a crime, but not guilty of the other options it had been given – second-degree murder and voluntary manslaughter.

Their verdict suggests they believed Mehserle when he testified that he had mistaken his pistol for his stun gun as he sought to subdue the 22-year-old Grant at Fruitvale Station in Oakland following

a fight on a BART train, a shooting that was captured on video by five other riders as well as a platform camera.

BART agreed in January to pay \$1.5 million in a civil settlement to Grant's daughter, Tatiana Grant, who is now six. Grant's mother and several of his friends who were with him when he was shot still have pending lawsuits. Read more: <http://snipurl.com/zy14t>

Project aims for more media freedoms in the Pacific

A new project in the Pacific aims to strengthen the role of media workers and press freedom advocates in defending and promoting human rights and fundamental freedoms in the region.

Media for Democracy and Human Rights in the Pacific, supported by the European Union and UNESCO, aims to bring together an enduring coalition of organisations and individuals who will jointly promote and defend rights related to freedom of the media, freedom of expression, access to information and the right to free association.

“This new project will see the International Federation of Journalists work with associates and colleagues from Pacific Island nations and the region to deliver on-the-ground skills development for media workers in the region,” IFJ Asia-Pacific Director Jacqueline Park said. More info: IFJ Asia-Pacific on +61 2 9333 0919.



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Soldiers lose human rights on battlefield

The UK Supreme Court has quashed landmark rulings that British troops deployed abroad are protected by human rights legislation on the battlefield.

The 6-3 majority ruling overturned previous High Court and Court of Appeal judgments over the death of a soldier, Private Jason Smith, who died of heatstroke while on a UK base in Iraq.

In March, the Ministry of Defence appealed against a Court of Appeal ruling that sending military personnel into battle or patrol with defective equipment could breach their human rights.

Supreme Court judges were asked to rule on whether a British soldier on military service in Iraq is subject to UK jurisdiction and covered by human rights laws wherever they were serving, not only when on a British military base or hospital. They answered ‘No’. <http://snipurl.com/yf4lm>

Court: UK must not extradite terror suspects to US

The European Court of Human Rights last month ordered Britain to delay extraditing four terrorism suspects to the USA, saying that life terms without parole in maximum security prisons would violate Europe's human rights charter.

The four include three Britons and the Egyptian-born radical cleric Mustafa Kamal Mustafa – also known as Abu Hamza al-Masri – described as “the one-eyed, hook-handed hardliner” by AP’s Robert Wielaard, who is accused of setting up a terrorist training camp in rural Oregon.

The European Court of Human Rights gave Britain until Sept. 2 to respond to questions about the punishment they will face. If convicted of charges filed between 2004 and 2006, they could get lifelong jail terms without parole in maximum security conditions which the court believes violates basic rights. <http://snipurl.com/z6tuy>

Millions of people sold for profit

More than 2.4 million people – up to 80% of them being women and girls – are exploited victims of human trafficking, either for sexual or labour exploitation, the UN says.

Other human trafficking includes for domestic servitude, removing organs and exploiting children.

A report, *Trafficking in persons to Europe for sexual exploitation*, issued by the UN Office on Drugs and Crime (UNODC), shows that criminal groups make around \$3 billion per year through sexual exploitation and the forced labour of some 140,000 people in Europe alone.

Report: <http://www.un.org/apps/news/story.asp?NewsID=35181&Cr=unodc&Cr1=>

Govt's secret spying costs \$2.43m in legal fees

How much does it cost to convince a US federal judge your clients were victims of President Bush's once-secret warrantless spy program? \$2.63 million.

That's the combined payment a team of eight lawyers is demanding from the government after proving their clients were illegally wiretapped under a once-secret National Security Agency spy program adopted in the wake of the 9/11 terror attacks.

The hourly rates range from \$506 an hour to \$296, and are based on generally accepted billing schedules.

The legal fee request came three months after U.S. District Judge Vaughn Walker of San Francisco ruled the former Administration tapped phone calls between a Saudi charity and its US lawyers without a warrant, in violation of federal law. It was the first ruling addressing how Bush's spy program was carried out against American citizens. Read More <http://snipurl.com/zy15j>

UK may slash police forces in half



The British Government's "anti-red-tape tsar", Jan Berry (*pictured*), has recommended that the 43 forces in England and Wales could merge into 20 in the biggest shake-up of the service in half a century.

Estimates based on Home Office data reveal that cutting the department's budget by a quarter would equate to the loss of almost 20,000 police officers.

Berry was appointed by former Labor government's Home Secretary, Jacqui Smith, to tackle excessive bureaucracy. She reports at a time when the Conservative-Liberal Democrat coalition is trying desperately to rein in expenditure. <http://snipurl.com/yzirj>

If cuts can be made in the UK, it will call into question whether a similar approach could be applied in Australia, where there is extensive duplication among state, territory and federal police forces.

Germany backs right to free will on euthanasia

Germany's Supreme Court has issued a landmark ruling that an assisted suicide cannot be punished if it is carried out based on a patient's prior request.

The court last month acquitted a lawyer who had counselled his client in 2007 to cut the tube feeding her mother, who had been in a non-responsive coma for five years. A lower court had handed the lawyer a nine-month suspended sentence.

The high court said the then 71-year-old woman had expressed the wish not to be kept alive under such circumstances in 2002 before falling into the coma.

German Justice Minister Sabine Leutheusser-Schnarrenberger welcomed the ruling as a major step toward respecting an individual's free will.

Minister reins in rampant vehicle surveillance cameras

The British Home Secretary, Theresa May, has ordered that a national police camera network that logs more than 10 million movements of motorists every day be placed under statutory regulation.

Her decision means that a "Big Brother" police database which holds 7.6bn records of the movement of motorists using more than 4,000 cameras across the UK will have to operate with proper accountability and safeguards.

Each entry on the database includes the number plate, location, date, time and a photograph of the front of the car, which may include images of the driver and any passengers: details are routinely held for two years.

The options being looked at by the Home Office for regulating the system, known as automatic number plate recognition (ANPR), include establishing a lawful right for the police to collect and retain such details as well as defining who can gain access to the database and placing a legal limit on the period information can be stored for.

Regulation is also expected to require the police to be more open with the public over the number and locations of cameras, with exceptions made for legally-authorized, covert police operations.

<http://snipurl.com/z0onc>

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79-year-old activist sentenced to three years in jail

A Syrian military court has sentenced a 79-year-old lawyer and human rights activist, who campaigned for decades for an end to emergency law, to three years in prison on charges of "weakening national morale", defence lawyers said.

"This is tragic. Haitham Maleh is an old and ill man," one lawyer said, while another feared that he would not survive the sentence.

Maleh, who spent six years as a political prisoner in the 1980s and was banned from leaving Syria, in 2006 was awarded the Geuzen medal, named after Dutch resistance fighters against the Nazis. The Syrian Human Rights League called Maleh's sentence "harsh and unjust" and international organisations and western governments called for his release. Damascus has intensified a campaign of arrests of political opponents over the past two years. <http://snipurl.com/z0pny>

School surveillance 'prisons' produce 'paranoia'

Schools are being turned into 'prisons' as children are subjected to increasingly sophisticated surveillance and security measures, according to a report in Britain's *Daily Telegraph*.

Researchers found the widespread use of CCTV, ID cards, electronic registration systems, fob-controlled gates and fingerprint technology as schools attempt to crack down on troublemakers.

Staff at one comprehensive patrolled corridors and playgrounds with radios to make sure children behaved at lunchtimes, while teachers at a private school used technology to spy on children's computer and internet use.

Researchers suggested that the sheer scale of surveillance was fuelling paranoia among many pupils. Children at the comprehensive were monitored by a network of 62 CCTV cameras trained on classrooms, corridors and play areas.

Main entrances and exits were locked with sophisticated fob keys, teachers patrolled with radios and pupils were issued with ID cards. The school employed a computerised registration system and automatic text messages were sent to parents warning them if children failed to turn up.

One 15-year-old boy told researchers the school was "like a prison". <http://snipurl.com/zah9z>

Vietnam bans games due to murder fears

Vietnam has banned online games advertising and restricted games access after young people committed murder or robbery to get money to pay to play, an official said last month.

The Ministry of Information and Communications' decision to crack down on online games follows a public outcry about their negative influence on youngsters, said ministry official Luu Vu Hai.

The ministry has temporarily stopped licensing online games pending the government's implementation of new regulations, banned their advertisement, and ordered Internet service providers to cut off web access after 11pm to shops that offer games, he said.

Over the past year, Vietnam's media has reported several murders and robbery cases committed by young people to get money to pay for online games. In one particularly shocking crime, a 15-year-old girl was sentenced to 10 years in prison for strangling a 4-year-old girl from her neighborhood to rob her of earrings worth \$10 to pay for online games, state media reported.

<http://www.guardian.co.uk/world/feedarticle/9195898>

UK to let free speech loose of its legal chains

The UK Government will overhaul libel laws in the new year. It said that it will publish a Defamation Bill early next year in an attempt to give publishers more rights and clamp down on 'libel tourism'.

Libel laws in England and Wales are widely seen as being very favourable to people suing for libel to protect their reputations.

Libel tourism is the practice of suing for libel in a country favourable to your case regardless of where you or your opponent lives. The UK has been accused of being a valued destination for libel tourists because of its strict laws since publication online gave litigants opportunities to argue that their reputation has been damaged wherever an article could be read.

Justice Minister Lord McNally said that the Government will begin work on a new Defamation Bill that he said he hoped would solve the widely-recognised problems with current UK law.

"Freedom of speech is the foundation of democracy. We need investigative journalism and scientific research to be able to flourish without the fear of unfounded, lengthy and costly defamation and libel cases being brought against them," he said.

"We believe that this will help to ensure that responsible journalism and academic and scientific debate are able to flourish, and that investigative journalism and the valuable work of non-governmental organisations are not unjustifiably hampered by actual or threatened libel proceedings," he said. Source: Pinsent Masons law firm, <http://www.out-law.com/page-11219>

US moves to prevent libel cases overseas: American legislators will shield US authors, journalists and publishers from libel tourism in foreign courts, including Australia and Britain particularly. A bill already known as the Speech Act – or Securing the Protection of our Enduring and Established Constitutional Heritage Act, to give it its full name – has been passed in the US Congress. It is intended to hamper efforts to sue Americans for libel in overseas jurisdictions where rules governing freedom of speech are different to those in the USA. <http://snipurl.com/zdq5b>



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INTERNATIONAL BRIEFS

Lady Amos goes to top UN post: British High Commissioner to Australia, Lady Amos, who was the first black woman to sit in the British Cabinet, has been appointed as the UN head (Under-Secretary General) for humanitarian affairs and emergency relief. In the UK cabinet, she replaced Clare Short for a brief stint as International Development Secretary in 2003. She was then Leader of the House of Lords until 2007 when nominated as the EU's special representative to the African Union. From there she came to Australia.

Push for more women in power in Cook Islands: The Cook Islands has a new group encouraging women to enter politics. Teina McKenzie said they want to see more balanced gender representation in Parliament: there are three women MPs in the 24-member parliament currently. Elections are due in 2010 but Prime Minister Jim Marurai is yet to announce a date for the poll. RNZI/PACNEWS <http://snipurl.com/yzbfe>

Power to the people in Tonga: Tonga's King George Tupou V is expected to hand over power to his people later this year, after the 25 November elections. It will be the country's first democratic election, with most MPs to be elected by the people for the first time in the island's history. The king will remain head of state, but will no longer appoint the ministers and the prime minister. In late 2006, eight died in anti-government riots in the capital, Nuku'alofa. Also last month, Tonga announced it was sending a defence contingent to serve in Afghanistan, paid for by the British – various sources.

Ex-spy chief refutes claims Iraq war was justified: The former MI5 Director General, Eliza Manningham-Buller, last month delivered a withering assessment of the case for war against Iraq, saying it had significantly increased the terrorist threat against Britain. Giving evidence to the Chilcot inquiry, Manningham-Buller said the threat posed by Saddam Hussein before the US-led

invasion in 2003 was low. But the toppling of Saddam allowed Osama bin Laden to gain a stronghold in Iraq and radicalised young Muslims in Britain, she said. <http://snipurl.com/zmn6w>

Few police officers available for policing: Just 1 in 10 police officers in the UK is available to tackle crime at any one time despite year-on-year budget increases over the past four decades, a police watchdog has warned. Sir Denis O'Connor, Her Majesty's Chief Inspector of Constabulary, said an average of only 11% of officers and police community support officers (PCSOs) were able to meet frontline demands. In some forces, only 6 in every 100 were on a duty visible to the public during peak Friday night hours while larger numbers worked on quiet Monday mornings, he said in his report, *Valuing the Police*. The former Metropolitan police assistant commissioner blamed the low availability on the reliance on PCSOs, who do not work after 8pm, as well as shift patterns, risk management, bureaucracy and increased niche posts. <http://snipurl.com/zy16g>

DATES:

(You may have to copy and paste URLs to reach these sites)

6 Aug, Hobart: Misfeasance in Public Office - A Tort Rediscovered? Seminar with Emeritus Professor Jim Davis, 1-2pm, Faculty of Law, U. Tas. RSVP Anja.Hilkemeijer@utas.edu.au by 10 August 2010.

9 Aug, Hobart: 6.30pm, School of Chemistry: The Many Murders of Harold Shipman - how forensic science helped his conviction for the murder of 15 of his elderly patients by administering lethal injections of opiates. RSVP to Rosanne.Guijt@utas.edu.au or ph (03) 6226 2171

10 Aug, Adelaide: Court in the Net: How the digital age is transforming the global politics of power and influence, by Associate Professor Felix Patrikeeff, 5:30pm, Horace Lamb Lecture Theatre, North Terrace Campus, U. Adelaide.



12 Aug, Hobart: The Dominant Animal: Human Evolution and the Limits of Law, Professor Benjamin J. Richardson (*pictured at left*) from Osgoode Hall Law School, York University, Canada: seminar, 1-2pm, Faculty of Law, U. Tas. RSVP Anja.Hilkemeijer@utas.edu.au by 10 August 2010.

13 Aug, Sydney: UN Association of Australia national conference 2010, NSW Parliament, with theme, *State of the World post Copenhagen*. Info: Peter Airey: office@unaansw.org.au

16 Aug, Melbourne: *Human Rights as Foreign Policy*, with Prof Alison Brysk, former PM Malcolm Fraser, ex-HR Commissioner Chris Sidoti and *The Age* Diplomatic Editor Daniel Flitton, 6-7.45pm, Blake Dawson, 26/181 William St, \$25/15 concession, inquiries/bookings: ben.schokman@hrlrc.org.au by 9 Aug.

20-23 Aug, Montreal, Canada: Civicus World Assembly, details: <http://www.civicusassembly.org/>

25-26 Aug, Canberra: Protecting Civilians During Violent Conflict: Violence, War & Terrorism: Ethical, Legal & Political Perspectives <http://law.anu.edu.au/COAST/events/ProtectCivilians/web.htm> or coast@law.anu.edu.au T: 02 6125 1096

27 Aug, Brisbane: International Pro Bono Roundtable, in conjunction with 3rd National Access to Justice and Pro Bono Conference. Info: <http://www.ag.gov.au/internationalprobono>

27-28 Aug, Adelaide: Australia Timor-Leste Friendship Network workshop. Contact: raemerlynperry@gmail.com or www.aetfa.org.au; SKYPE: aetfa.sa

30 Aug – 1 Sept, Melbourne: 63rd UN Department of Public Information/Non-Governmental Organisations (DPI/NGO) conference: global health as it relates to the Millennium Development Goals. Details: <http://www.un.org/dpi/ngosection/index.asp>

1 Sept, Brisbane: Prof David Weisbrot of Macquarie Law School, Macquarie U. on “[DIY Genetics: Carbolic Smoke Ball Meets the Internet](#)” at Griffith U. Rm 2.06, N54, Nathan campus with videolink to Room 1.04, G34, Gold Coast campus and Room 2.27, L03, Logan campus.

3-4 Sept, Canberra: Annual public law weekend at ANU, 2010 theme: Scarcity, Sustainability and Public Law, including the annual Geoff Sawer lecture (by the US Ambassador to Australia Jeff Bleich) and the conference dinner. Saturday morning; update sessions on topical issues. Draft program: http://law.anu.edu.au/cipl/plw2010/Prog_PLW2010draft.pdf

15 Sept, World: International Day of Democracy: <http://www.ipu.org/dem-e/idd/overview.htm>

17-25 Sept, Brisbane: IFIP Human Choice and Computers International Conference, part of the IFIP world conference, details: <http://www.wcc2010.com/HCC92010/index.html> Sessions include ethics and ICT governance, surveillance and privacy.

21 Sept, Perth: Murdering Stepmothers - the sensational trial and execution of Martha Rendell: 2010 New Critic Lecture by Anna Haebich, Research Intensive Professor at Griffith University. Webb

Theatre, Ground flr, Geography Building, UWA, 6-7pm. Details:

<http://www.ias.uwa.edu.au/lectures/haebich>

27-28 Sept, Melbourne: Public Interest Law Opportunities and Obstacles: The 2010 Conference of the Civil Justice Research Group, Melbourne Law School. Info: g.cazalet@unimelb.edu.au

15 Oct, Sydney: 2010 International Dispute Resolution conference, 8.30-5.15. More info: www.afr.com/events/ or call 1800 032 577, run by Australian Financial Review, cost \$979-\$1249.

18-19 Oct, Melbourne: 1st International Serious and Organised Crime Conference (ISOC 2010), Convention Centre. <http://www.aic.gov.au/events/aic%20upcoming%20events/2010/isoc.aspx> *Note: A conference about organised crime, not one held by organised crime: organised by Aust. Inst of Criminology.

21-22 Oct. Adelaide: 2010 Institute of Public Administration Australia national conference, Adelaide Convention Centre, details: <http://www.ipaa.org.au/>

28 Oct, Perth: Use of Information Technology in Criminal Trials, 4.30–6.00pm, Ceremonial Court, District Court of WA, 500 Hay Street, Perth. More info: <http://www.lawsocietywa.asn.au/cpdseminars.htm>

4-6 Nov, Parramatta: Human Rights Education Conference, Educating for Human Rights, Peace and Intercultural Dialogue, U. of Western Sydney, organised by Dr Sev Ozdowski, Register by 22 Oct. Details: <http://www.humanrightseducationconference2010.com.au>

10-13 Nov, Bangkok: 14th International Anti-Corruption Conference (IACC). Details: <http://14iacc.org/>

19 Nov, Brisbane: E-Democracy – Global Trends to Local Citizen Engagement, 2.30–4.30pm, Bldg 96, St Lucia Campus. Info: juliemccredde@uq.edu.au

10 Dec, Sydney: Human Rights Awards: http://www.humanrights.gov.au/hr_awards or ph: 02 9284 9618 or <mailto:hrwards@humanrights.gov.au>

2011:

28-30 Oct, Perth: CHOGM (Commonwealth Heads of Government Meeting): Biennial summit involving 53 leaders from Commonwealth nations

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CLArion is the monthly e-newsletter of Civil Liberties Australia A04043, Box 7438 FISHER ACT 2611 Australia. Responsibility for election comment in *CLArion* is taken by CLA's Public Officer, Bill Rowlings, of Fisher, ACT. Please feel free to report or pass on items in *CLArion*, crediting CLA and/or the original source. We welcome contributions for the next issue: please send to: [mailto:secretary\[at\]cla.asn.au](mailto:secretary[at]cla.asn.au)

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